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Declaration and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

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the specification of which (check one)

☒ is attached hereto.

☐ was filed on _____ as Application Serial No. _____ and was amended on _____.

I hereby state that I have reviewed and understand the contents of the above- identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Number

Country

Day/Month/Year

Priority Claimed

N/A

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Applications:

Serial No.	Filing Date	Status
N/A		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Manny W. Schechter (Reg. 31,722), Kevin M. Jordan (Reg. 40,277), Stanley B. Green (Reg. 24,351), Richard M. Ludwin (Reg. 33,010), Douglas W. Cameron (Reg. 31,596), Wan Yee Cheung (Reg. 42,410), Thu Ann Dang (Reg. 41,544), Louis P. Herzberg (Reg. 41,500), Stephen C. Kaufman (Reg. 29,551), Daniel P. Morris (Reg. 32,053), Alison D. Mortinger (Reg. 39,306), Louis J. Percello (Reg. 33,206), Robert M. Trepp (Reg. 25,933), Gail H. Zarick (Reg. 43,303), Paul J. Otterstedt (Reg. 37,411), Derek S. Jennings (Reg. 41,473) and Timothy M. Farrell (Reg. 37,321), all of INTERNATIONAL BUSINESS MACHINES CORPORATION;
John E. Hoel, Registration No. 26,279; Christopher A. Hughes, Registration No. 26,914; 32,588; Joseph C. Redmond, Jr., Registration No. 18,753; all of MORGAN & FINNEGAN, L.L.P.

Send all correspondence to: Eric W. Petraske, 68 Old Hawleyville Road, Bethel, CT 06801

Direct Telephone Calls to: Eric W. Petraske at 203-798-1857.

Inventor: **Jochen C. Beintner**

Signature:

J.C. Beintner

Residence:

27 Clapp Avenue
Wappinger's Falls, NY 12590

12/16/03
Date

Citizenship:

Germany

**Post Office
Address:**

Same as residence.

Inventor:

Edward J. Nowak

Signature:

Residence:

8 Windridge Road
Essex Junction, VT 05452

Date

Citizenship:

USA

**Post Office
Address:**

Same as residence.



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N/A

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Send all correspondence to: Eric W. Petraske, 68 Old Hawleyville Road, Bethel, CT 06801

Direct Telephone Calls to: Eric W. Petraske at 203-798-1857.

Inventor: **Jochen C. Beintner**

Signature: _____

Date

Residence: 27 Clapp Avenue
Wappinger's Falls, NY 12590

Citizenship: Germany

**Post Office
Address:** Same as residence.

Inventor: **Edward J. Nowak**

Signature: Edward J. Nowak

13 Dec 2003
Date

Residence: 8 Windridge Road
Essex Junction, VT 05452

Citizenship: USA

**Post Office
Address:** Same as residence.



Docket No. YOR920030380US1

PATENT ASSIGNMENT

For and in consideration of good and valuable consideration, the receipt and sufficiency thereof being hereby acknowledged, each undersigned inventor acknowledges his/her prior and ongoing obligation to sell, assign, and transfer, and agrees to sell, assign, and transfer the entire world wide right, title and interest for the United States and all foreign countries, in and to any and all inventions and improvements conceived during and within the scope of his/her employment, and further acknowledges that he/she has sold, assigned, and transferred, and hereby sells, assigns, and transfers, unto:

**INTERNATIONAL BUSINESS MACHINES CORPORATION ("IBM"),
Armonk, New York 10504**

a corporation of New York, and IBM desires to acquire all right, title, and interest, in and to the certain inventions (identified below), applications, and any United States and foreign patents to be obtained therefor relating to:

Title of Invention for United States Patent:

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as set forth in United States Patent Application executed by each undersigned inventor on the date indicated by each inventor signature below, and further identified by Attorney Docket Number YOR920030380US1;

(select one): X executed concurrently herewith or Serial No. Filed on

for and to said United States Patent Application including any and all divisions or continuations thereof and in and to any and all Letters Patent of the United States and foreign patents and all rights of priority to be obtained therefor which may issue on any such application or for said invention therein disclosed, including any and all reissues or extensions thereof, to be held and enjoyed by, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not been made;

Each undersigned inventor hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to IBM, its successors and assigns, in accordance herewith;

Each undersigned inventor warrants and covenants that he/she has the full and unencumbered right to sell and assign the interests hereby sold and assigned and that he/she has not executed and will not execute any document or instrument in conflict herewith;

Each undersigned inventor further covenants and agrees that he/she, upon the request and at the expense of IBM, will execute and deliver any papers, make all rightful oaths, testify in any legal proceeding relating to said inventions and improvements, communicate to IBM all facts known to the undersigned relating to such inventions and improvements and the history thereof; and perform all other lawful acts deemed necessary or desirable by IBM, and its legal representatives, to secure, maintain, and enforce patent protection for such inventions and improvements and for vesting title to such inventions and improvements in IBM, and in particular to perfect title to said above-identified certain inventions, and applications including divisions and continuations thereof, and any and all Letters Patent which may be granted therefor or thereon, including reissues, extensions, or counterparts;

Each undersigned inventor hereby grants to IBM the power to insert in this Assignment any further identification which may be necessary or desirable for recordation of this Assignment.

This assignment is governed by the substantive laws of the state of New York.


Jochen C. Beintner

Date: 12/16/03

and

Edward J. Nowak

Date: _____



Docket No. YOR920030380US1

PATENT ASSIGNMENT

For and in consideration of good and valuable consideration, the receipt and sufficiency thereof being hereby acknowledged, each undersigned inventor acknowledges his/her prior and ongoing obligation to sell, assign, and transfer, and agrees to sell, assign, and transfer the entire world wide right, title and interest for the United States and all foreign countries, in and to any and all inventions and improvements conceived during and within the scope of his/her employment, and further acknowledges that he/she has sold, assigned, and transferred, and hereby sells, assigns, and transfers, unto:

**INTERNATIONAL BUSINESS MACHINES CORPORATION ("IBM"),
Armonk, New York 10504**

a corporation of New York, and IBM desires to acquire all right, title, and interest, in and to the certain inventions (identified below), applications, and any United States and foreign patents to be obtained therefor relating to:

Title of Invention for United States Patent:

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as set forth in United States Patent Application executed by each undersigned inventor on the date indicated by each inventor signature below, and further identified by Attorney Docket Number YOR920030380US1;

(select one): X executed concurrently herewith or Serial No. Filed on

for and to said United States Patent Application including any and all divisions or continuations thereof and in and to any and all Letters Patent of the United States and foreign patents and all rights of priority to be obtained therefor which may issue on any such application or for said invention therein disclosed, including any and all reissues or extensions thereof, to be held and enjoyed by, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not been made;

Each undersigned inventor hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to IBM, its successors and assigns, in accordance herewith;

Each undersigned inventor warrants and covenants that he/she has the full and unencumbered right to sell and assign the interests hereby sold and assigned and that he/she has not executed and will not execute any document or instrument in conflict herewith;

Each undersigned inventor further covenants and agrees that he/she, upon the request and at the expense of IBM, will execute and deliver any papers, make all rightful oaths, testify in any legal proceeding relating to said inventions and improvements, communicate to IBM all facts known to the undersigned relating to such inventions and improvements and the history thereof; and perform all other lawful acts deemed necessary or desirable by IBM, and its legal representatives, to secure, maintain, and enforce patent protection for such inventions and improvements and for vesting title to such inventions and improvements in IBM, and in particular to perfect title to said above-identified certain inventions, and applications including divisions and continuations thereof, and any and all Letters Patent which may be granted therefor or thereon, including reissues, extensions, or counterparts;

Each undersigned inventor hereby grants to IBM the power to insert in this Assignment any further identification which may be necessary or desirable for recordation of this Assignment.

This assignment is governed by the substantive laws of the state of New York.

Jochen C. Beintner

Date: _____

and

Edward J. Nowak
Edward J. Nowak

Date: 13 Dec 2003